

UNITED STATES DISTRICT COURT  
Northern District of California

CISCO VILLALTA,

No. C 12-04717 MEJ

Plaintiff(s),

**ORDER TO SHOW CAUSE**

v.

BANK OF AMERICA CORP,

Defendant(s).

On September 17, 2012, the Defendant(s) in the above-captioned matter filed a motion to dismiss, with a noticed hearing date of October 25, 2012. Dkt. No. 6. However, Plaintiff(s) failed to file an opposition pursuant to Civil Local Rule 7. Accordingly, the Court hereby VACATES the October 25 hearing and ORDERS Plaintiff(s) Cisco Villalta to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff(s) shall file a declaration by October 18, 2012. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on November 1, 2012 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby given to Plaintiff(s) that the Court may dismiss the case without a hearing if no responsive declaration is filed. Thus, it is imperative that Plaintiff(s) file a written response by the deadline above.

**IT IS SO ORDERED.**

Dated: October 5, 2012

  
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Maria-Elena James  
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

CISCO VILLALTA,

No. C 12-04717 MEJ

Plaintiff(s),

**CERTIFICATE OF SERVICE**

v.

BANK OF AMERICA CORP,

Defendant(s).

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 5, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Cisco Villalta  
564 S. Oak Park Way  
Emerald Hills, CA 94062

Dated: October 5, 2012

Richard W. Wieking, Clerk  
By: Rose Maher, Deputy Clerk